

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:92CR14
)	
v.)	
)	
CHRISTOPHER ALLEN SCOTT,)	MEMORANDUM OPINION
)	
Defendant.)	
)	

This matter is before the Court on defendant's motion for modification of sentence pursuant to 18 U.S.C. § 3582(C)(2) (Filing No. [1191](#)). This motion is a repeat of the motion filed by the defendant on December 31, 2007 (Filing No. [1078](#)), in which he sought a modification of his sentence pursuant to the crack cocaine guideline modifications that became effective November 1, 2007, and were subsequently made retroactive.

That motion was denied by the Court as the defendant had been found guilty by a jury of violation of 21 U.S.C. § 848(b), a continuing criminal enterprise. The defendant was not sentenced pursuant to the United States Sentencing Guidelines but pursuant to a specific statute which mandated a life sentence. The recent modifications of the guidelines are not applicable to the defendant, and he is not entitled to any relief under those changed guidelines. For these reasons and for the reasons set forth in the Court's memorandum opinion (Filing No.

[1080](#)), the defendant will be denied. A separate order will be entered in accordance with this memorandum opinion.

DATED this 24th day of August, 2011.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court